

FORM PTO-1700
(REV 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

FUK-63

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.55) **09/402112**

INTERNATIONAL APPLICATION NO.
PCT/JP98/01278

INTERNATIONAL FILING DATE
March 24, 1998

PRIORITY DATE CLAIMED
March 29, 1997

TITLE OF INVENTION **THREE-DIMENSIONAL PERIODIC STRUCTURE, ITS FABRICATION METHOD, AND METHOD OF FABRICATING FILM**

APPLICANT(S) FOR DO/EO/US **Shojiro KAWAKAMI et al.**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☒ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
Article 34 Amendment and English Translation thereof.

U.S. APPLICATION NO. 09/402,112 INTERNATIONAL APPLICATION NO. PCT/JP98/01278

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FUK-63

CALCULATIONS PTO USE ONLY

17. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):**

Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO \$970.00

International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO \$840.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but
international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$760.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)
but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$670.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)
and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ 840.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 0

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	18 - 20 =	0	X \$18.00
Independent claims	13 - 3 =	10	X \$78.00

\$ 0

\$ 780.00

MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$260.00

\$ 260.00

TOTAL OF ABOVE CALCULATIONS =

\$ 1880.00

Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement
must also be filed (Note 37 CFR 1.9, 1.27, 1.28).

\$ 0

SUBTOTAL =

\$ 1880.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$ 0

TOTAL NATIONAL FEE =

\$ 1880.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$ 0

TOTAL FEES ENCLOSED =

\$ 1880.00

Amount to be:
refunded

\$

charged

\$

a. ☒ A check in the amount of \$ 1880.00 to cover the above fees is enclosed.

Check No. 2840

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Randall J. Knuth, P.C.
3510-A Stelhorn Road
Fort Wayne, IN 46815-4631

SIGNATURE:

Randall J. Knuth

NAME

34,644

REGISTRATION NUMBER

Date: September 29, 1999

522 Rec'd PCT/PTO 29 SEP 1999

Commissioner of Patents and Trademarks
Box: PCT
Washington, DC 20231

Re: National PCT Application for United States Letters Patent
APPLICANT: Shojiro KAWAKAMI et al.

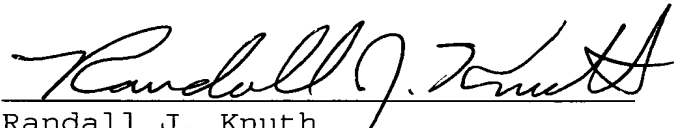
TITLE OF INVENTION: THREE-DIMENSIONAL PERIODIC STRUCTURE
ITS FABRICATION METHOD, AND METHOD OF
FABRICATION FILM

Sir:

Forwarded herewith is the above-identified application, consisting of the following:

Form PTO-1390
Verification of Translation
Article 34 Amendment and English Translation Thereof
Substitute Specification (45 Sheets)
Substitute Claims (6 Sheets)
Substitute Abstract
Drawings (29 Sheets)
Unexecuted Declaration
Information Disclosure Statement
Form PTO-1449
Cited Art References

Respectfully submitted,


Randall J. Knuth
Registration No. 34,644

RJK/jrc

Enclosures: As stated above.
Check No. 2840 (\$1880)
Return Postcard

RANDALL J. KNUTH, P.C.
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FORT WAYNE, IN 46815-4631
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FACSIMILE: 219-486-2794

"EXPRESS MAIL" Mailing Number EL161801277US

Date of Deposit September 29, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, DC 20231

Randall J. Knuth
(Typed Name of Person Mailing Paper or Fee)


(Signature of Person Mailing Paper or Fee)

VERIFICATION OF A TRANSLATION

I, the below name translator, hereby declare that:

My name and post office address are as stated below;

That I am knowledgeable in the English language and in the language in which the below identified international application was filed, and that I believed the English translation of the international application PCT/JP98/01278 filed on March 24, 1998 is a true and complete translation of the above-identified international application as filed.

I hereby declare that all statement made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize validity of the application or any patent issued thereon.

Full name of the translator: Setsuko ASANO

Signature of the translator:

Setsuko Asano

Date:

September 24, 1999

Post Office Address:

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JAPAN